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BEFORE THE ARIZONA CORPORAT.

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Arizona Corporation Commission

ARIZONA CORPORATION COMMISSION
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Docket No. S-20906A-14-0063

In the matter of:

CONCORDIA FINANCING COMPANY, LTD,
a/k/a "CONCORDIA FINANCE,"

ER FINANCIAL & ADVISORY SERVICES,
LLC,

LANCE MICHAEL BERSCH, and

DAVID JOHN WANZEK and LINDA
WANZEK, husband and wife,

Respondents.

**MOTION TO
CONTINUE HEARING**

Respondents ER Financial & Advisory Services, LLC, Lance Michael Bersch, David John Wanzek, and Linda Wanzek (the "ER Respondents") move that the hearing currently scheduled to begin on May 11, 2015 be continued due to multiple, serious medical issues faced by Mr. Bersch.

Mr. Bersch was recently in the hospital for nearly a week. He has a number of serious medical issues, including undergoing a major knee operations, deep vein thrombosis, pulmonary embolism, urologic complications and anxiety disorder. Mr. Bersch requires regular treatment, including physical therapy and blood thinners. Attached as Exhibit A is a letter from Mr. Bersch's physician, Ronald D. Parker, M.D. Dr. Parker's letter documents the serious medical issues facing Mr. Bersch. Dr. Parker recommends that Mr. Bersch not travel, and that he "keep stress levels at a minimum, until he regains a healthy status."

Due to these serious medical issues, Mr. Bersch will not be able to attend or participate in the hearing. As a respondent, Mr. Bersch has a right to participate in his defense and attend the hearings. Further, Mr. Bersch has been listed as a witness on both the ER Respondents' witness

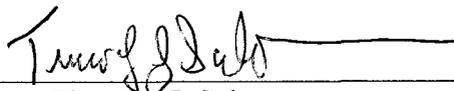
SNELL & WILMER
LLP
ONE ARIZONA CENTER
SUITE 2000
PHOENIX, ARIZONA 85004-2202

1 list and the Division's witness list. Mr. Bersch has the right to testify in his own defense, if he so
2 choses. Further, given the nature of the case, which involves allegations stretching back to the
3 1990's, including issues regarding alleged statements made long ago, Mr. Bersch's participation
4 in the defense is essential, so that witnesses can be effectively cross-examined and so that the
5 Administrative Law Judge can hear Mr. Bersch's side of the story.

6 The Commission has granted continuances due to health issues in many prior cases.
7 Further, it "is customary to grant a continuance on the ground of illness of a party." *Gaspar v.*
8 *Kassm*, 493 F.2d 964, 969 (3d Cir. 1974); *see also Davis v. Operation Amigo, Inc.*, 378 F.2d 101,
9 103 (10th Cir. 1967)("that illness of a litigant severe enough to prevent him from appearing in
10 court is always a legitimate ground for asking for a continuance").

11 Thus, the ER Respondents request that the hearing be continued, with a status conference
12 set in about six months, and with the ER Respondents directed to file a status report at least 21
13 days before the status conference.

14 RESPECTFULLY SUBMITTED this 17th day of April 2015.

15
16
17 By 

18 Timothy J. Sabo
19 SNELL & WILMER L.L.P.
20 One Arizona Center
21 400 East Van Buren
22 Phoenix, AZ 85004-2202
23 Phone: 602.382.6347
24 E-mail: tsabo@swlaw.com

25 and

26 Paul J. Roshka, Jr.
27 Craig Waugh
28 POLSINELLI, P.C.
One East Washington St., Suite 1200
Phoenix, AZ 85004-2568
Phone: 602.650.2098
Email: proshka@polsinelli.com

Attorneys for the ER Respondents

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Original + 13 copies of the foregoing
filed this 17th day of April 2015, with:

Docket Control
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

Copies of the foregoing hand-delivered/mailed
this 17th day of April 2015, to:

Mark H. Preny, Esq.
Administrative Law Judge
Hearing Division
Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

James D. Burgess, Esq.
Securities Division
Arizona Corporation Commission
1300 West Washington, 3rd Floor
Phoenix, Arizona 85007

Alan S. Baskin, Esq.
David E. Wood, Esq.
Baskin Richards, PLC
80 East Rio Salado Parkway, Suite 511
Tempe, Arizona 85281
Attorneys for Concordia Finance Company, LTD.

By *Jaclyn Howard*

Exhibit A

Parker Family Practice
Office of
Ronald Parker, MD
Mary Ann Widman, FNP and Paul Klein, FNP
1713 Kofa Ave Suite A
Parker, AZ 85344
Phone: 928-669-9700
Fax: 928-669-9104

April 10, 2015

Re: Michael Bersch

To Whom It May Concern,

Over the last several months, my patient, Michael Bersch, has undergone a number of medical situations, including a major knee operation for which he spent almost a week in the hospital. It was determined then, that he had deep vein thrombosis in his lower extremities and a pulmonary embolism. Michael is now on blood thinners for these diagnoses. Michael's leg muscles have become atrophic due to lack of use, and he is in physical therapy on a regular basis.

During the same time, Michael also had urologic complications that will probably result in surgery. All of this has resulted in him having developed an anxiety disorder with near panic attacks. I have advised the patient against travel at this time and to keep stress levels at a minimum, until he regains a healthy status.

Sincerely,



Ronald D. Parker, MD